

**STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR, PARK PLANNING, FACILITIES AND LANDS, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON NATIONAL PARKS, FORESTS AND PUBLIC LANDS, OF THE HOUSE COMMITTEE ON NATURAL RESOURCES, CONCERNING H.R. 2094, A BILL TO PROVIDE FOR CERTAIN ADMINISTRATIVE AND SUPPORT SERVICES FOR THE DWIGHT D. EISENHOWER MEMORIAL COMMISSION**

**September 27, 2007**

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Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you today to present the Department of the Interior's views on H.R. 2094, a bill to provide for certain administrative and support services for the Dwight D. Eisenhower Memorial Commission.

The Department has no position on H.R. 2094 as it involves providing administrative and support services for an established congressional commission by the General Services Administration (GSA) rather than the Department of the Interior. We understand that the Department of Justice has concerns with certain provisions on volunteer services in H.R. 2094 that could significantly expand the potential for Federal tort liability. The Senate Energy and Natural Resources Subcommittee on National Parks held a hearing on the companion bill, S. 890, on April 26, 2007. The Senate Energy and Natural Resources Committee subsequently amended the bill to incorporate volunteer liability language recommended by the Department of Justice but also struck the text clarifying that the Commission's volunteers were Federal employees for purposes of the criminal conflict of interest laws, leaving their status with respect to such laws unclear. The Committee approved the amended bill on June 26.

The Dwight D. Eisenhower Memorial Commission (Commission) is a congressional commission established by Section 8162 of Public Law 106-79 on October 25, 1999. H.R. 2094 would amend Section 8162 to update the powers of the Commission and provide additional staff and support services to assist the Commission in performing its duties and responsibilities. The bill would require the GSA to provide administrative services on a reimbursable basis. It also would allow the Commission to use all contracts, schedules, and acquisition vehicles allowed to external clients through the GSA.

In January 2002, the Commission's authorization was amended by Public Law 107-117 to require that the memorial to Dwight D. Eisenhower be established pursuant to the provisions of the Commemorative Works Act. Public Law 109-220, enacted in May 2006, authorized the memorial to be constructed on a site within Area I as Dwight D. Eisenhower is deemed to be of "preeminent historical and lasting significance to the Nation." As a result of an alternative site study completed in 2006, the National Park Service, the Commission of Fine Arts and the National Capital Planning Commission have all approved a site south of Independence Avenue near its intersection with Maryland Avenue, which was identified in the Memorials and Museums Master Plan as Prime Candidate Site suitable for a presidential memorial. The next step is for the Commission to select a design concept in accordance with guidance contained in the site approval and to submit it for review by the Secretary of the Interior, the Commission of Fine Arts and the National Capital Planning Commission.

During his term, President Eisenhower created the National Interstate Highway System, which remains a critical component of U.S. infrastructure today. Eisenhower also is credited with

proposing and signing into law the Civil Rights Acts of 1957 and 1960, and striving to make the District of Columbia a model for the nation in racially integrating public schools. He created the precedent for the proposed National Parks Centennial Initiative by initiating a comprehensive ten-year program, Mission 66, to restore and improve National Parks to meet the needs of a public increasingly interested in the great outdoors.

The Department supports the work of the Commission and is willing to assist them throughout the process of establishing an appropriate permanent memorial to Dwight D. Eisenhower, the 34<sup>th</sup> President of the United States.

That concludes my testimony, I would be glad to answer any questions that you or other members of the subcommittee may have.